

Message Text

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ACTION IO-14

INFO OCT-01 ISO-00 AF-10 ARA-16 EA-11 EUR-25 NEA-10 RSC-01

CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03 NSAE-00 NSC-10

PA-04 PRS-01 SPC-03 SS-20 USIA-15 ACDA-19 DRC-01 /184 W

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R 062242Z DEC 73

FM USMISSION USUN NEWYORK

TO SECSTATE WASHDC 1834

INFO USMISSION GENEVA

UNCLAS SECTION 1 OF 2 USUN 5424

E.O. 11652: N/A

TAGS: UNGA, SOCI

SUBJ: THIRD COMMITTEE--ITEM 57, UN HIGH COMMISSIONER FOR
HUMAN RIGHTS (HCHR)

1. SUMMARY. CONSIDERATION THIS ITEM CONCLUDED DEC 5
WITH MIXED RESULTS. DEBATE WAS CUT OFF BY MOTION FOR
CLOSURE AND THE COMITE ADOPTED IRISH DRAFT RES AS AMENDED
BY IRAQ TO PLACE A SIMILAR ITEM ON AGENDA OF 30TH GA.
US DEL ABSTAINED AND EXPLAINED VOTE. END SUMMARY.

2. FROM OPENING OF DEBATE ON THIS SUBJECT IT WAS APPARENT
THAT NO SUBSTANTIVE PROGRESS WAS LIKELY ON UN HIGH COMMISSIONER
FOR HUMAN RIGHTS (HCHR) PROPOSAL AS CONTAINED IN SWEDISH/
COSTA RICAN DRAFT RES A/C.3/L.2075. IN THE GENERAL DEBATE
SWEDEN, COSTA RICA, NETHERLANDS, NEW ZEALAND, BELGIUM,
AND URUGUAY ARGUED VIGOROUSLY FOR FULL CONSIDERATION OF
THE ITEM WITH A VIEW TOWARDS CREATING THE POST OF HCHR.

3. THE COMPETING DRAFT RES A/C.3/L.2092, SUBMITTED BY
BULGARIA AND DEMOCRATIC YEMEN, THE SOLE PURPOSE OF WHICH
WAS TO KILL THE ITEM, REPRESENTED THE EXTREME NEGATIVE POSITION
OF EES AND SOME ARABS. CUBA, BULGARIA, SAUDI ARABIA
AND GDR SPOKE TO SUPPORT BULGARIAN DRAFT.

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4. THE MEDIAN POSITION TAKEN BY DRAFT RES A/C.3/L.2079,

SUBMITTED BY IRELAND, WAS THE COORDINATED APPROACH OF THE COMMON MARKET COUNTRIES. DENMARK, IRELAND, ITALY, FRG, AND NIGERIA SPOKE IN SUPPORT OF IRISH DRAFT. WHEN IRELAND IRAQ REACHED COMPROMISE TEXT OF IRISH DRAFT RES, MOROCCO MADE A MOTION FOR CLOSURE WHICH CARRIED BY VOTE OF 69-3-24(US). MOROCCO THEN ASKED THE CHAIRMAN TO REQUEST THAT THE SWEDISH/COSTA RICAN AND BULGARIA/YEMENI PROPOSALS NOT BE PRESSED TO VOTE. CHAIRMAN MAHMASSANI QUICKLY GAVELLED THROUGH THIS UNDERSTANDING. IRELAND ANNOUNCED FINAL TEXT OF RES.

5. SIXTH PREAMBULAR PARA, PROPOSED BY IRAQ, ("EXPRESSING ITS HOPE THAT THE INTERNATIONAL COVENANTS ON HUMAN RIGHTS WILL ENTER INTO FORCE IN THE NEAR FUTURE") WAS ACCEPTED. ORIGINAL OP PARA 2 OF IRISH RES WAS REPLACED TO READ "DECIDES TO KEEP UNDER REVIEW THE CONSIDERATION OF ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UN SYSTEM FOR IMPROVING EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS." OP PARA 3 AMENDED TO READ, "DECIDES ACCORDINGLY TO INCLUDE IN THE PROVISIONAL AGENDA OF THE 30TH SESSION OF THE GA AN ITEM ENTITLED 'ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UN SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS.'"

6. ALGERIA REQUESTED A SEPARATE VOTE ON THE #30TH SESSION" HOPING THEREBY TO POSTPONE CONSIDERATION THIS ITEM. AS THE PARA WITHOUT THE REFERENCE TO 30TH SESSION WOULD BE UNDERSTOOD TO PLACE THE ITEM ON THE AGENDA OF THE 29TH SESSION, THE RESULTING VOTE TO REATIN THESE WORDS, 52-7-36(US), WAS MOSTLY THE RESULT OF CONFUSION. DRAFT RES ADOPTED BY VOTE OF 75-0-25(US).

7. DURING EXPLANATION OF VOTE FOLLOWING DAY, US REP (BUKLEY) WAS FIRST TO SPEAK. HIS TEXT REPEATED AT CONCLUSION THIS TELEGRAM. FOLLOWING DELS EXPLAINED ABSTENTIONS ON GROUNDS THAT THEY SUPPORTED CREATION OF HCHR AND THAT QUESTION OF MAKING UN HUMAN RIGHTS MACHINERY MORE EFFECTIVE WAS TOO IMPORTANT TO BE POSTPONED FOR TWO YEARS: UK, NEW ZEALAND, AFGHANISTAN (WHOSE REP ADDED UNCLASSIFIED

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THAT AFGHANISTAN WOULD HAVE COSPONSORED SWEDISH RES AS IN PAST HAD HE BEEN CONSULTED), NETHERLANDS, DENMARK, URUGUAY, ITALY, CANADA, AND SWEDEN.

8. SOVIET BLOC STATES POLAND, BULGARIA AND DEMORACTIC YEMEN EXPRESSED VIEW THAT APPROPRIATE WAY TO INSURE INCREASED ENJOYMENT OF HUMAN RIGHTS WAS THROUGH ACTION BY NATIONAL GOVERNMENTS TO RATIFY AND ENFORCE HUMAN RIGHTS

COVENANTS, NOT BY ESTABLISHING HCHR. SOVIETS EVER CONSCIOUS OF THEIR AFRICAN CONSTITUENCY NOTED THAT AS RESULT ADMISSION NEW STATES, ESPECIALLY AFRICAN, UN BODIES HAD CHANGED THEIR COMPOSITION AND WERE NOW DEALING WITH MORE CRUCIAL HUMAN RIGHTS PROBLEMS THAN IN PAST, I.E., RACISM, APARTHEID AND OTHER FORMS OF RACIAL DISCRIMINATION. IN DIG AT US AMONG OTHERS, SOVIET REP NOTED THAT MOST ACTIVE PARTISANS OF HCHR IDEA WERE THOSE COUNTRIES THAT WERE NOT SIGNATORIES TO MOST IMPORTANT HUMAN RIGHTS INSTRUMENTS. THEY CLAIMED THAT OVERWHELMING MAJORITY, HOWEVER, BELIEVED HCHR COULD DO NOTHING TO PREVENT VIOLATIONS OF HUMAN RIGHTS.

9. THREE AFRICAN DELS SPOKE IN EXPLANATION: MAURITANIA WHOSE REP HAD NOT BEEN PRESENT DURING VOTE MADE SARCASTIC ALLUSION TO WEST'S "INCONSISTENCY IN BEING WILLING TO FINANCE HCHR BUT UNWILLING TO FINANCE INDEPENDENT COMITE TO COORDINATE DECADE TO COMBAT RACISM AND ANNOUNCED HE WOULD HAVE ABSTAINED BECAUSE HE DID NOT WISH TO CONSIDER HCHR ITEM EVERY TWO YEARS. ZAMBIA IN CONFUSED EXPLANATION PROFESSED TO SEE THAT INTEREST OF CERTAIN DELS IN PROTECTING HUMAN RIGHTS INCREASED IN PROPORTION TO SUCCESS OF LIBERATION MOVEMENTS. SIERRE LEONE IN CONSTRUCTIVE COMMENT RECOMMENDED REGIONAL APPROACH TO ISSUE OF HUMAN RIGHTS INASMUCH AS IN THOSE COUNTRIES WHERE THERE WAS NO ASSURANCE OF RIGHT TO WORK OR ABILITY TO EARN LIVELIHOOD, CIVIL AND POLITICAL RIGHTS MUST ASSUME SECONDARY IMPORTANCE.

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R 062242Z DEC 73

FM USMISSION USUN NY

TO SECSTATE WASHDC 1835

INFO USMISSION GENEVA

UNCLAS SECTION 2 OF 2 USUN 5424

10. US REP WILLIAM BUCKLEY'S STATEMENT FOLLOWS:

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MR. CHIARMAN:

MY GOVERNMENT DESIRES TO EXPLAIN ITS ABSTENTION YESTERDAY ON THE TWO VOTES IN THIS COMMITTEE THAT FOLLOWED THE TRUNCATED DEBATE ON THE MOTION OF CREATING A HIGH COMMISSIONER FOR HUMAN RIGHTS.

IT IS OUR UNDERSTANDING THAT THE PURPOSE OF THIS COMMITTEE IS TO DEVISE MEANS OF PROMOTING HUMAN RIGHTS AROUND THE WORLD. THE ARGUMENTS OF THOSE OPPOSED TO THE CREATION OF A HIGH COMMISSIONER APPEARED TO CENTER ON THE CONCERN THAT SAID HIGH COMMISSIONER WOULD INTERFERE IN THE INTERNAL AFFAIRS OF THEIR COUNTRIES. OUR UNDERSTANDING WAS THAT SUITABLE PRECAUTIONS AGAINST SUCH INTERFERENCE, IN VIOLATION OF THE UNITED NATIONS CHARTER, WERE BUILT INTO THE PENDING PROPOSAL. ON THE OTHER HAND, WE CANNOT DENY THAT THERE IS A SENSE IN WHICH THERE MERE ESPOUSAL OF HUMAN RIGHTS IN AN INTERNATIONAL ORGANIZATION IS TO INTERFERE PHILOSOPHICALLY WITH THE INTERNAL AFFAIRS OF SOME COUNTRIES. HUMAN RIGHTS IS AN IDEAL TO WHICH WE ALL PAY LIP SERVICE. EVEN THE BEST INTENTIONED AMONG US, SERVE THAT IDEAL ASYMPTOTICALLY; IN SOME SOCIETIES, WITH SUCH STUDIED UNSUCCESS AS TO CALL INTO QUESTION WHETHER WE CAN REALLY

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CALL HUMAN RIGHTS A SHARED IDEAL. AMONG THOSE WHO SPOKE YESTERDAY IN OPPOSITION TO A HIGH COMMISSIONER FOR HUMAN RIGHTS WERE STATES WHO WOULD HAVE YOU BELIEVE THAT SUCH IS THE CONGESTION OF HUMAN RIGHTS WITHIN THEIR FRONTIERS, THAT IT IS NECESSARY TO SURROUND THEMSELVES WITH GREAT WALLS AND OCEANS TO PREVENT THESE HUMAN RIGHTS FROM EMIGRATING. MY GOVERNMENT REGISTERS ITS SORROW THAT ALL THE WORK THAT IN THE LAST EIGHT YEARS HAD GONE INTO THE CONCEPT OF A HIGH COMMISSIONER WHO MIGHT HAVE PROVED TECHNICALLY USEFUL IN PROMOTING HUMAN RIGHTS, HAS APPARENTLY BEEN OF NO AVAIL. WE REGRET THAT THE NOBLE RESOLUTION PROPOSED BY THE DISTINGUISHED DELEGATES OF SWEDEN AND COSTA RICA, FOR WHICH WE INTENDED ENTHUSIASTICALLY TO VOTE, WAS NOT SUBMITTED FOR ACTION IN THIS CHAMBER.

MR. CHAIRMAN, WHY DID THE UNITED STATES THEN ABSTAIN ON THE PROFERRED RESOLUTION, AS AMENDED?

---FOR ONE THING THERE WAS THE LACK OF CLARITY.

IT WAS NOT CLEAR YESTERDAY, AND IT IS NO CLEARER THIS MORNING--INDEED MY DISTINGUSIHED COLLEAGUES APPEAR TO BE DIVIDED ON THE INTERPRETATION--WHAT EXACTLY IS THE MEANING

OF THE PHRASE, "ALTERNATIVE APPROACHES" AS USED IN THE THIRD PARAGRAPH OF THE ADOPTED RESOLUTION, RECORDING THAT WE HAVE DECIDED TO "INCLUDE IN THE PROVISIONAL AGENDA OF THE 30TH SESSION OF THE GENERAL ASSEMBLY AN ITEM ENTITLED/ ALTERNATIVE APPROACHES, AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS"?

--ALTERNATIVE SUGGESTS A CHOICE. AS USED IN THE ADOPTED RESOLUTION, IT COULD BE HELD TO MEAN, "OTHER THAN." OTHER THAN WHAT? OTHER THAN A HIGH COMMISSIONER? BUT THIS COMMITTEE HAS NOT REJECTED THE IDEA OF A HIGH COMMISSIONER. IT CAN ONLY BE UNDERSTOOD, BY ALL MEMBERS HERE PRESENT, AS HAVING AGREED TO POSTPONE ACTION. THE AMBIGUITY, HOWEVER, REMAINS. SINCE THE GOVERNMENT OF THE UNITED STATES IS IN FAVOR OF A HIGH COMMISSIONER FOR HUMAN RIGHTS, IT IS OBVIOUS THAT WE COULD NOT VOTE FOR A RESOLUTION WHICH MIGHT BE INTERPRETED AS SUGGESTING THAT WE REJECT A HUMAN RIGHTS COMMISSIONER AS A MEANS OF PROMOTING THE CAUSE OF HUMAN RIGHTS. IT IS MORE LIKELY, MR. CHAIRMAN, THAT THE MAJORITY OF MY DISTINGUISHED COLLEAGUES

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INTENDED THAT THE PHRASE "ALTERNATIVE APPROACHES" MEANT SOMETHING MORE ACCURATELY GIVEN AS "SUPPLEMENTARY APPROACHES." THAT IS TO SAY, APPROACHES--NOT EXCLUDING A HIGH COMMISSIONER--FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS THAT GO BEYOND THOSE APPROACHES ALREADY INSTITUTIONALIZED IN THE UNITED NATIONS.

--HOWEVER, MR. CHAIRMAN, EVEN IF THAT AMBIGUITY HAD BEEN CLARIFIED, MY GOVERNMENT COULD NOT IN GOOD CONSCIENCE HAVE VOTED TO PUT OFF STIMULATING THE PURSUIT OF HUMAN FREEDOMS UNTIL THE 30TH SESSION OF THE GENERAL ASSEMBLY. TO SUGGEST, AS ONE OF MY DISTINGUISHED COLLEAGUES DID, THAT WE NEED MORE "TIME" IN ORDER TO PERMIT OUR IDEAS TO "MATURE" IS A MELANCHOLY REFLECTION ON THE PRIORITIES GIVEN TO HUMAN LIBERTY, REMINDING US THAT IN THE RECORDED HISTORY OF OUR PLANET, HUMAN RIGHTS ARE AS A GRAIN OF SAND IN A HUGE BEACH. IT IS, AS SEVERAL OF MY COLLEAGUES SUGGESTED YESTERDAY, INFINITELY DISAPPOINTING TO THE PEOPLE OF THE WORLD THAT THE UNITED NATIONS DOES NOT DO MORE OF A CONCRETE NATURE TO SERVE THE CAUSE OF HUMAN RIGHTS. IT IS GROTESQUE THAT THE UNITED NATIONS SHOULD DECLINE FORMALLY TO MEDITATE THE PROBLEM UNTIL 1975. IF, AS THE SECRETARY GENERAL SAID ON A RECENT OCCASION, TO SATISFY THE HUMAN HUNGER FOR RIGHTS IS AS NECESSARY IN ITS WAY AS TO SATISFY THE HUMAN HUNGER FOR BREAD, THEN WE CAN BE HELD TO HAVE ACTED AS CALLOUSLY AS THE KEEPER OF THE GRANARY WHO WILL WAIT TWO YEARS BEFORE LISTENING TO THE SUPPLICATIONS OF THE HUNGRY.

--EVEN SO, MR. CHAIRMAN, MY GOVERNMENT COULD NOT VOTE

AGAINST ANY RESOLUTION THAT COMMITS US TO THE SEARCH FOR MEANS
OF IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND
FUNDAMENTAL FREEDOMS AT ANY TIME, NOT EVEN IF THE RESOLUTION HAD
CALLED FOR TURNING OUR ATTENTION TO THE SUBJECT IN 1985,
RAHTER THAT 1975.

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Message Attributes

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